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JAN 22 2002

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/965,675	09/27/2001	Mark E. Dristy	PES-0048

## CONFIRMATION NO. 2890

23413  
 CANTOR COLBURN, LLP  
 55 GRIFFIN ROAD SOUTH  
 BLOOMFIELD, CT 06002

## FORMALITIES LETTER



\*OC000000006966290\*

Date Mailed: 10/24/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- o Total additional claim fee(s) for this application is \$1036.
  - \$396 for 22 total claims over 20.
  - \$640 for 8 independent claims over 3 .
- o The oath or declaration is unsigned.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 1876.**

*A copy of this notice **MUST** be returned with the reply.*

*S/A*  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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<b>Response To Notice To File Missing Parts Of Application</b> <b>Filing Date Granted (PTO-1533)(Small Entity)</b>	Docket No. <b>PES-0048</b>
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In Re Application Of: **MARK E. DRISTY et al.**

JAN 22 2002

Serial No.  
**09/965,675**

Filing Date  
**September 27, 2001**

PATENT & TRADEMARK EXAMINER

Group Art Unit

**Invention: APPARATUS AND METHOD FOR MAINTAINING COMPRESSION OF THE ACTIVE AREA IN AN ELECTROCHEMICAL CELL**

**COPY OF PAPERS  
ORIGINALLY FILED**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

October 24, 2001

Date

Enclosed herewith for filing are the following:

- A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.

One verified small entity declaration(s)

is/are attached.

was/were filed on \_\_\_\_\_

A separate request for refund.

Other (list):

**Filing Fee - Check  
Postcard**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
PES-0048

In Re Application Of: **MARK E. DRISTY et al.**

JAN 22 2002  
PATENT & TRADEMARK OFFICE  
EXAMINER

Serial No.  
**09/965,675**

Filing Date

**September 27, 2001**

Examiner

Group Art Unit

**Invention: APPARATUS AND METHOD FOR MAINTAINING COMPRESSION OF THE ACTIVE AREA IN AN ELECTROCHEMICAL CELL**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Attention: Manager, Application Branch

Completion of application fees as calculated below:

Utility application filing fee **\$370.00**

Design application filing fee \_\_\_\_\_

Total number of independent claims = **11** **\$336.00**

Total number of claims = **42** **\$198.00**

Multiple dependent claims \_\_\_\_\_

Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$65.00**

Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_

Fee for processing an application filed with a non-English language specification \_\_\_\_\_

Fee for processing and retention of application \_\_\_\_\_

Total completion of application fees **\$969.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

One month       Two months       Three months       Four months       Five months

from: \_\_\_\_\_

*Date*

until: \_\_\_\_\_

*Date*

Total time extension fees \_\_\_\_\_

Total fees due **\$969.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
**PES-0048**

In Re Application Of: **MARK E. DRISTY et al.**

JAN 22 2002

PATENT & TRADEMARK OFFICE

Serial No.  
**09/965,675**

Filing Date  
**September 27, 2001**

Examiner

Group Art Unit

**Invention: APPARATUS AND METHOD FOR MAINTAINING COMPRESSION OF THE ACTIVE AREA IN AN ELECTROCHEMICAL CELL**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Attention: Manager, Application Branch

The fee of **\$969.00** is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.   
A duplicate copy of this sheet is enclosed.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 06-1130  
A duplicate copy of this sheet is enclosed.

*[Signature]*  
**Signature**

Dated: **December 20, 2001**

**Leah M. Reimer  
Registration No. 39,341  
Customer No. 23413**

I certify that this document and fee is being deposited on **December 21, 2001** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*[Signature]*  
**Signature of Person Mailing Correspondence**

**Marjorie R. Humes**

**Typed or Printed Name of Person Mailing Correspondence**

cc:

17C1  
03C0 -

## TRANSMITTAL OF FORMAL DRAWINGS

Docket No.  
PES-0048

In Re Application Of: MARK E. DRISTY et al.

JAN 22 2002

PATENT AND TRADEMARK OFFICE

RECEIVED  
U.S. PATENT AND TRADEMARK OFFICESerial No.  
09/965,675

Filing Date

September 27, 2001

Batch No.

PAC-0048

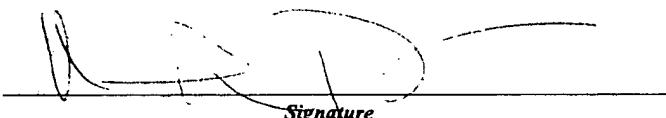
Examiner

Art Unit

Invention: APPARATUS AND METHOD FOR MAINTAINING COMPRESSION OF THE ACTIVE AREA IN  
AN ELECTROCHEMICAL CELLCOPY OF PAPERS  
ORIGINALLY FILEDRECEIVED  
APR 05 2002  
TC 1700COPY OF PAPERS  
ORIGINALLY FILED

Transmitted herewith are:

Seven (7) sheets of formal drawing(s) for this application.

Each sheet of drawing indicates the identifying indicia suggested in 37 CFR Section 1.84(c)  
on the reverse side of the drawing.#  
SRECEIVED  
APR 03 2002  
TC 1700


Signature

Dated: December 20, 2001

Leah M. Reimer  
Registration No. 39,341  
Customer No. 23413

I certify that this document and attached formal drawings  
are being deposited on December 21, 2001 with the  
U.S. Postal Service as first class mail under 37 C.F.R. 1.8  
and addressed to the Assistant Commissioner for Patents,  
Washington, D.C. 20231.



Signature of Person Mailing Correspondence

Marjorie R. Humes  
Typed or Printed Name of Person Mailing Correspondence